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Deliver to: Minh Dieu T. Nguyen, USPTO Art Group: 2137  
 Facsimile No.: 703-872-9306 Date: July 11, 2005  
 From: William W. Schaal, Reg. No. 39,018  
 Our Docket No.: 42390P8110 Number of pages 10 including this sheet.  
 Application No.: 09/823,131 Filing Date: 3/30/2001  
 Docket Due Date(s): 7/25/2005

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>After Final</u> ( <u>6</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: <u>                    </u> ( <u>    </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: <u>                    </u>
<input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile <u>                    </u>	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: <u>                    </u>	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other: <u>                    </u>	<input checked="" type="checkbox"/> Transmittal Letter

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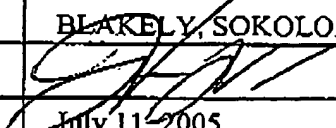
Susan McFarlane 7/11/2005  
 Susan McFarlane Date


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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/823,131
		Filing Date	March 30, 2001
		First Named Inventor	Carl M. Ellison
		Art Unit	2137
		Examiner Name	Minh Dicu T. Nguyen
Total Number of Pages in This Submission	9	Attorney Docket Number	42390P8110

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 <b>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</b>
Signature	
Date	July 11, 2005

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Typed or printed name	Susan McFarlane		
Signature		Date	July 11, 2005

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# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$) **0.00**

Complete if Known

Application Number 09/823,131  
 Filing Date March 30, 2001  
 First Named Inventor Carl M. Ellison  
 Examiner Name Minh Dieu T. Nguyen  
 Art Unit 2137  
 Attorney Docket No. 42390P8110

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
17	25	0	\$0.00
Independent Claims	3	0	\$0.00
Multiple Dependent			
Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)		
1202 50	2202 25	Claims in excess of 20	
1201 200	2201 100	Independent claims in excess of 3	
1203 360	2203 180	Multiple Dependent claim, if not paid	
1204 300	2204 150	**Reissue independent claims over original patent	
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (1)		(\$)	0.00

\*for number previously paid, if greater. For Reissues, see below

### 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251	2251	Extension for reply within first month	
1252	2252	Extension for reply within second month	
1253	2253	Extension for reply within third month	
1254	2254	Extension for reply within fourth month	
1255	2255	Extension for reply within fifth month	
1401	2401	Notice of Appeal	
1402	2402	Filing a brief in support of an appeal	
1403	2403	Request for oral hearing	
1451	2451	Petition to institute a public use proceeding	
1460	2460	Petitions to the Commissioner	
1807	1807	Processing fee under 37 CFR 1.17(a)	
1808	1808	Submission of Information Disclosure Sheet	
1809	1809	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)			
SUBTOTAL (2)		(\$)	

### SUBMITTED BY

Name (Print/Type) William W. Schaal

Registration No.  
(Attorney/Agent)

39,018

Complete (if applicable)

Telephone (714) 557-3800

Signature

Date 07/11/05

Based on PTO/SB-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (vtr) 12/16/2004.  
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<b>FEE TRANSMITTAL for FY 2005</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	09/823,131
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 0.00		Filing Date	March 30, 2001
		First Named Inventor	Carl M. Ellison
		Examiner Name	Minh Dieu T. Nguyen
		Art Unit	2137
		Attorney Docket No.	42390P8110

**METHOD OF PAYMENT** (check all that apply)

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- ☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

**FEE CALCULATION**

**1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
17	23*	0	\$0.00
Independent Claims	2	0	\$0.00
Multiple Dependent			
Large Entity	Small Entity		
Fee Code	Fee Code	Fee Description	
1202 50	2202 25	Claims in excess of 20	
1201 200	2201 100	Independent claims in excess of 3	
1203 360	2203 100	Multiple Dependent claims, if not paid	
1204 300	2204 150	**Reissue independent claims over original patent	
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (1)		(\$)	0.00

\*or number previously paid, if greater. For Reissues, see below

**2. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code		
1051 130	2051 05	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
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1401	2401	Permission to institute a public use proceeding	
1400	2400	Petitions to the Commissioner	
1807	1807	Processing fee under 37 CFR 1.17(a)	
1808	1808	Submission of Information Disclosure Stmt	
1809	1809	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR § 1.120(b))	
Other fee (specify)			
SUBTOTAL (2)		(\$)	

**SUBMITTED BY**

Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature		Date	07/11/05		

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004  
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JUL 11 2005

Appl. No. 09/823,131  
Amdt. Dated 07/11/2005  
Reply to the Final Office Action of May 25, 2005

**RESPONSE UNDER 37 CFR § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2137**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.	:	09/823,131	Confirmation No. 6846
Applicant	:	Carl M. Ellison	
Filed	:	03/30/2001	
IC/A.U.	:	2137	
Examiner	:	Minh Dicu T. Nguyen	
Docket No.	:	42390P8110	
Customer No.	:	8791	

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Alexandria VA 22313-1450

**AMENDMENT UNDER 37 CFR § 1.116**

Sir:

In response to the Office action of May 25, 2005, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.